

## Message Text

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ACTION CU-05

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FM USLO PEKING

TO SECSTATE WASHDC 2311

C O N F I D E N T I A L PEKING 1481

E.O. 11652: GDS

TAGS: SCUL CH

SUBJECT: ARCHEOLOGICAL EXHIBITION - TEXT OF PROTOCOL

REF: A) PEKING 1473 B) PEKING 1479

1. FOLLOWING IS ENGLISH TEXT OF PROTOCOL TO BE SIGNED BY SPONSORING CHINESE AND U.S. ORGANIZATIONS FOR ARCHEOLOGICAL EXHIBITION. ONLY SIGNIFICANT CHANGE FROM EARLIER DRAFT IS CONSISTENT USE OF WORD "OBJECTS" FOR CHINESE "SHANPIN" AS IN CASE OF LETTERS TO BE EXCHANGED (REF A). DURING AUGUST 28 MEETING WITH HSIAO TEH HE ALSO PASSED US REVISED VERSION OF CHINESE TEXT OF LETTER FROM VICE FONMIN YU CHAN TO MR. BRUCE WHICH WE WILL POUCH TO DEPARTMENT. NEW CHINESE TEXT OF PROTOCOL WAS NOT PROVIDED, HSIAO SAID, SINCE THERE ARE NO CHANGES FROM EARLIER DRAFT GIVEN US.

2. BEGIN QUOTE:

AGREEMENT BETWEEN THE U.S. COMMITTEE FOR THE EXHIBITION OF ARCHEOLOGICAL FINDS OF THE PEOPLE'S REPUBLIC OF CHINA OF THE NATIONAL GALLERY OF ART OF THE UNITED STATES OF AMERICA AND THE COMMITTEE FOR THE ORGANIZATION OF EXHIBITIONS OF ARCHEOLOGICAL FINDS OF THE PEOPLE'S REPUBLIC OF CHINA CONCERNING THE EXHIBITION OF ARCHEOLOGICAL FINDS OF THE PEOPLE'S REPUBLIC OF CHINA (DRAFT)

IN ACCORDANCE WITH THE EXCHANGE OF LETTERS BETWEEN  
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YU CHAN, VICE MINISTER OF FOREIGN AFFAIRS OF THE PEOPLE'S

REPUBLIC OF CHINA, AND DAVID BRUCE, CHIEF OF THE LIAISON OFFICE OF THE UNITED STATES OF AMERICA TO CHINA, CONCERNING THE EXHIBITION OF ARCHEOLOGICAL FINDS OF THE PEOPLE'S REPUBLIC OF CHINA, THE U.S. COMMITTEE FOR THE EXHIBITION OF ARCHEOLOGICAL FINDS OF THE PEOPLE'S REPUBLIC OF CHINA OF THE NATIONAL GALLERY OF ART OF THE UNITED STATES OF AMERICA (HEREINAFTER REFERRED TO AS THE U.S. SIDE) AND THE COMMITTEE FOR THE ORGANIZATION OF EXHIBITIONS OF ARCHEOLOGICAL FINDS OF THE PEOPLE'S REPUBLIC OF CHINA (HEREINAFTER REFERRED TO AS THE CHINESE SIDE) HAVE AGREED AS FOLLOWS:

#### ARTICLE I

THE CHINESE SIDE SHALL PROVIDE THE U.S. SIDE WITH THE OBJECTS TO BE EXHIBITED. ANNEX A TO THE ABOVE-MENTIONED EXCHANGE OF LETTERS CONTAINS A LIST OF THE OBJECTS, AND ANNEX B GIVE THEIR INDIVIDUAL VALUATIONS.

THE U.S. SIDE SHALL MAKE NO ALTERATIONS IN REGARD TO THE NAME, FORWARD, CHARTS AND CAPTIONS OF THE EXHIBITION AND THE ORDER OF DISPLAY OF THE OBJECTS AS PRESCRIBED BY THE CHINESE SIDE.

#### ARTICLE II

EACH OBJECT SHALL BE PHOTOGRAPHED, AND, WHERE AN OBJECT HAS BEEN DAMEGED OR REPAIRED, AS MANY PHOTOGRAPHS AS ARE NECESSARY WILL BE TAKEN OF IT. AT THE TIME OF HANDING OVER IN TORONTO AND PEKING, THE REPRESENTATIVES OF BOTH SIDES WHALL VERIFY THESE PHOTOGRAPHS WITH THE OBJECTS AND SIGN THE RELEVANT PHOTOGRAPHS. THE U.S. SIDE UNDERTAKES TO RETURN THE ORIGINAL OBJECTS TO THE CHINESE SIDE.

#### ARTICLE III

THE PROCEDURE FOR HANDING OVER THE OBJECTS FROM THE CHINESE SIDE TO THE U.S. SIDE SHALL TAKE PLACE IN TORONTO. REPRESENTATIVES OF BOTH SIDES SHALL BE PRESENT AT THE MOMENT OF HANDOVER AND PACKING. EACH OBJECT SHALL

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BE EXAMINED AND A REPORT WRITTEN ON IT, WHICH SHALL BE SIGNED BY THE REPRESENTATIVES OF BOTH SIDES. WHEN THE OBJECTS ARE UNPACKED AFTER ARRIVAL IN THE UNITED STATES, THE REPRESENTATIVES OF BOTH SIDES SHALL EXAMINE THE OBJECTS AND WRITE AND SIGN REPORTS ON THEM.

#### ARTICLE IV

WHEN THE OBJECTS ARE RETURNED TO PEKING AFTER CLOSE OF THE EXHIBITION AND WHEN THEY ARE HANDED OVER BY THE U.S. SIDE TO THE CHINESE SIDE, THE REPRESENTATIVES OF BOTH SIDES SHALL EXAMINE THE CONDITION OF THE OBJECTS AND SIGN THE REPORTS WHICH THEY HAVE WRITTEN ON THEM.

ARTICLE V

AFTER THE OBJECTS HAVE BEEN PUT INTO SHOWCASES IN THE UNITED STATES, THE SHOWCASES SHALL BE IMMEDIATELY SEALED WITH PIECES OF PAPER ON WHICH THE REPRESENTATIVES OF BOTH SIDES HAVE AFFIXED THEIR SIGNATURES, AND NEITHER SIDE MAY BREAK THE SEALS UNILATERALLY. WHILE THE OBJECTS ARE IN THE UNITED STATES, THEY MAY NOT BE TAKEN OUT OF THE SHOWCASES FOR REPRODUCTION, COPYING OR PHOTOGRAPHING WITHOUT PERMISSION OF THE CHINESE SIDE.

ARTICLE VI

WITH THE EXCEPTION OF THE COSTS OF TRANSPORTATION OF THE OBJECTS AS PROVIDED FOR IN THE EXCHANGE OF LETTERS BETWEEN VICE FOREIGN MINISTER YU CHAN AND CHIEF OF THE U.S. LIAISON OFFICE DAVID BRUCE CONCERNING THE EXHIBITION OF ARCHEOLOGICAL FINDS OF THE PEOPLE'S REPUBLIC OF CHINA, THE OTHER COSTS OF THE EXHIBITION SHALL BE DEALT WITH ACCORDING TO THE FOLLOWING PROVISIONS:

- (1) THE CHINESE SIDE SHALL BEAR THE COSTS OF ASSEMBLING THE OBJECTS AND PACKING THEM IN CHINA.
- (2) THE U.S. SIDE SHALL BEAR ALL THE COSTS CONNECTED WITH THE MOUNTING OF THE EXHIBITION IN THE UNITED STATES AND PRIOR TO THEIR HANDOVER TO THE CHINESE SIDE IN CONFIDENTIAL

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PEKING.

- (3) THE CHINESE SIDE WILL SEND FOUR OFFICIALS AND ONE INTERPRETER TO ESCORT THE EXHIBITION. THEIR TRAVEL COSTS TO AND FROM THE UNITED STATES SHALL BE PAID BY THE CHINESE SIDE. THE U.S. SIDE SHALL BEAR THE BOARD, LODGING, TRAVELLING AND MEDICAL COSTS WHILE THE FOUR OFFICIALS AND INTERPRETER ARE IN THE UNITED STATES.

ARTICLE VII

THE PROCEEDS OF THE EXHIBITION WILL GO TO THE U.S. SIDE.

ARTICLE VIII

THE CHINESE SIDE SHALL SUPPLY THE U.S. SIDE WITH THE  
DOCUMENTARIES "NEW DISCOVERIES IN ARCHEOLOGY" AND  
"CULTURAL RELICS DISCOVERED DURING THE CULTURAL REVOLUTION"  
FOR SHOWING IN THE UNITED STATES.

ARTICLE IX

ANY DIFFERANCES WHICH MAY ARISE IN CARRYING OUT THE  
TERMS OF THIS AGREEMENT SHALL BE SETTLED THROUGH CONSULTA-  
TIONS BETWEEN THE REPRESENTATIVES OF THE TWO SIDES.  
IF NECESSARY, THESE DIFFERENCES SHALL BE REFERRED TO THE  
OFFICIAL ORGANS OF THE TWO COUNTRIES.

ARTICLE X

THIS AGREEMENT SHALL COME INTO FORCE ON SIGNATURE  
AND SHALL REMAIN IN FORCE UNTIL THE COMPLETE FULFILLMENT  
BY THE TWO SIDES OF ALL THEIR OBLIGATIONS ARISING THEREFROM.

DONE IN DUPLICATE IN PEKING ON .....,  
1974, IN THE ENGLISH AND CHINESE LANGUAGES, BOTH TEXTS  
BEING EQUALLY AUTHENTIC.

FOR THE                      FOR THE  
U.S. COMMITTEE FOR THE EXHI-      COMMITTEE FOR THE ORGANIZA-  
TION OF ARCHEOLOGICAL FINDS      TION OF EXHIBITION OF  
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OF THE PEOPLE'S REPUBLIC OF      ARCHEOLOGICAL FINDS OF THE  
CHINA OF THE NATIONAL GALLERY      PEOPLE'S REPUBLIC OF CHINA  
OF ART OF THE UNITED STATES  
OF AMERICA

END QUOTE.  
BRUCE

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## Message Attributes

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**Channel Indicators:** n/a  
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**Disposition Approved on Date:**  
**Disposition Authority:** martinml  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
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